

HOUSE BILL 158  
By Turner M

AN ACT to amend Tennessee Code Annotated, Title 36,  
Chapter 5, relative to child support payments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 5, Part 10, is amended by inserting the following as a new, appropriately designated section:

(a) In the event that, upon administrative review, a child support order is determined to have been issued incorrectly due to mistake of fact or identity, resulting in an overpayment of funds by the person subject to the child support order, then the department shall reimburse the person subject to the child support order for any amounts actually overpaid by the person subject to the child support order within sixty (60) days of the determination that the order was issued incorrectly.

(b) The department shall be responsible for pursuing reimbursement for the expenditure of funds required to comply with subsection (a) from the person who incorrectly received such funds. The department may employ any actions available to it in the pursuit of child support payments under this chapter in pursuing incorrect child support payment reimbursements under this section.

SECTION 2. The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect January 1, 2006, the public welfare requiring it.